

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

UNITED STATES DISTRICT COURT

for the

District of _____

Division _____

Vera Morris and

Christopher Wilkerson

Case No. _____

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

• City of Memphis -v- Memphis Light
• Police Department and • Gas and Water
• MPD ofc. Burton 11659 Divison
• MPD ofc. Webb 11060 • MEG W- corporate

Defendant(s)

Investigator Officer
D. Armstrong
(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Address

County

Telephone Number

E-Mail Address

Vera Mae Morris / Christopher Eugene Wilkerson
 5167 Downs
 Memphis TN 38135
 City State Zip Code
 Shelby County
 901-653-8822 (CW) 901-513-3518 (VM)
 Chris Wilkerson 2002@yahoo.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

City of Memphis (Police Department)
 Public Service and Government
 125 N. Main Street
 Memphis TN 38103
 City State Zip Code
 Shelby County
 901-636-6786

☒ Individual capacity ☒ Official capacity

Defendant No. 2

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Memphis Light Gas and Water Division
 220 South Main Street
 Memphis TN 38103
 City State Zip Code
 Shelby County
 901-528-7643

☒ Individual capacity ☒ Official capacity

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Defendant No. 3

Name

Memphis Police Officer Burton 11659

Job or Title (if known)

Memphis Police Officer

Address

125 N. Main Street

Memphis

TN.

City

State

Zip Code

County

Shelby County

Telephone Number

901 - 636 - 6786

E-Mail Address (if known)

☒ Individual capacity ☒ Official capacity

Defendant No. 4

Name

Officer Webb 11060

Job or Title (if known)

Memphis Police Officer

Address

125 N. Main Street

Memphis

TN.

City

State

Zip Code

County

Shelby County

Telephone Number

901 - 636 - 6786

E-Mail Address (if known)

☒ Individual capacity ☒ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐ Federal officials (a *Bivens* claim)☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

The 4th Amendment and 14th Amendment
Rights violated.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

B. The Defendants

Defendant No. 5

Name : D. Armstrong

Name : Memphis Light gas and water Corporate Investigator

Job or Title (if known) :

Corporate Investigator officer D. Armstrong
Loss PreventionAddress : 220 South Main Street
Memphis TN. 38103P.O. BOX 430 38101-0430
Memphis TN.

County : Shelby

Telephone Number : 901 - 322-5741

cell number : 901-528-7643

Email Address (if know)

☒ Individual capacity☒ Official capacity

VM

CLG

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

5167 Downs St, Memphis, TN, 38135 > Home leased By Christopher Wilkerson
Mother - Very Morris resides

- B. What date and approximate time did the events giving rise to your claim(s) occur?

Wed. November 13, 2019 Time from 7:45AM - 10:00AM

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

* See Attached additional page

12-13-2019

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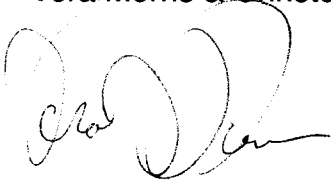
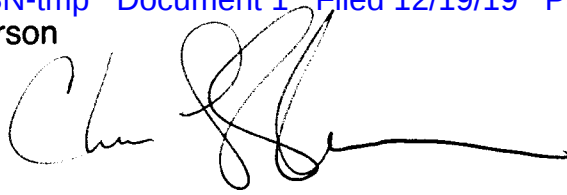
Section C.

III.

On Wednesday November 13, 2019 two Police Officers (Burton 11659, Webb 11060) and a Memphis Light Gas and Water Corporate Investigator (Officer D. Armstrong) pushed there way into my home at 5167 Downs Street Memphis TN. 38135, without knocking, asking to enter, announcing there presence, no probable cause nor an official legal warrant. My Mom Vera Morris was at the door greeting her home healthcare provider Nurse. Then all three Officers pushed there way into my home with a show of force on my mother while she was letting her RN. Nurse into the house. This startled my mom. She then asked the officers what were they doing and why? They responded looking for my brother Antonio Wilkerson for an electric bill for an account at 3928 Timberwood Drive Memphis TN. 38128. They were then asked several times to leave. They responded "No! We're not going anywhere, I'm in here now!" When asked what's going on they said they were looking for an individual with an unpaid electric bill and they want there money now. By not leaving Theses officers therefore assumed control of my mom and the entire house. While Intimidating there way into the house on my mom. They then entered another room were Antonio was laying on the couch sleeping and then woke him up and began demanding money from him. My mom asked them not to wake him but they did it anyway. My brother name is not on the lease at the address. They were asked again to leave several times before the officers were demanding money while threatening to disconnect the electricity services at my address, if they didn't get the money by Friday November 15, 2019. Be advised the electric bill is not in Antonio Wilkerson's name at 5167 Downs Street Memphis TN. 38135 but they threaten to turn off services at this location for his individual bill. When all officers finally left. My mom then called me to inform me of what had happened. I left work and headed home. I then filed a compliant with Electric company that same day where the corporate investigator officer work. The next day I stopped by and complained at the Memphis Police Precinct where the other two officers worked (New Allen Station). The morning shift Lieutenant on duty listened to my complaint between the hours of 11am and 1pm. He then watched the body cameras of the officers during the incident at my home. He surprised on what and how the officers conducted themselves while representing the department. Then he apologized for their behavior and assured that the officers will be reprimanded. I then filed complaint with the Memphis Police Internal Affairs Department who watched the tape and agreed that the officers did not follow the proper policy and procedures when escorting a party to an address. Also when entering someones home. So do to these violations my mom needed medical treatment from her Nurse on site who administered the medication and proper care that she needed due to her being home bound. She was sick for weeks at a time. Suffering from mental and psychological trauma with terrible migraines that didn't get better. I myself had missed work because she was still startled from being at home alone and the difficulty of getting around. I feel that both parties (Memphis Police and Memphis Light Gas and Water) participated in abusing there authority over civilians. They must be held liable for the events that happened on that day for my mother and me. Internal Affairs completed a report of our complaint on both of our behalf. My mother wasn't able to come out at that time due to the seriousness of her health from the incident and not to mention being home bound. Memphis Light Gas and Water abused their authority of being the only company within miles that provide utilities for lots of families in Memphis and its surrounding areas. By bullying demonstrating vigorous intimidation tactics while using our Memphis Police Department to assist.




Vera Morris & Christopher Wilkerson

A handwritten signature in black ink, appearing to read "Vera Morris". The signature is fluid and cursive, with the first name "Vera" being more prominent than the last name "Morris".A handwritten signature in black ink, appearing to read "Christopher Wilkerson". The signature is fluid and cursive, with the first name "Christopher" being more prominent than the last name "Wilkerson".

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

- * Vera Morris - Nurse on site had to Administer Medications due to being violated by officers on site. Stressful condition caused immediate physical reaction associated violent muscular action caused and influenced the course of medical conditions such as Emotional and psychological trauma such as insomnia, fear, depressed mood, and anxiety. pain medications taken ordered by ~~for~~ migraines headaches and pulsating muscle cramps. ^{Threat to turn off utilities knowing Morris has life alert button life alert}
- * Christopher Wilkerson - Pain and suffering stress Emotional and psychological trauma such as insomnia, fear, depression, and anxiety due to leaving work the next day lost wages. cause layoff earlier than was scheduled, lay off Job at TrueGreen for not showing 11-14-19 To be home with mom needed care from home health care workers.
- * Vera Morris - emotional injury due to harassment, intimidation and bullying

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Intentional infliction of emotional distress and negligence on defendants behalf. Monetary damages Include Work salary lost due to incident and any future wages that occur in case. Punitive damages for emotional stress and violation of Rights, etc. * Memphis Police Department/City of Memphis 25 K
 * Memphis Light gas and water Division 60K in damages -
 Memphis Light gas and water Bullied plaintiff C. Wilkerson to obtain Antonio's electric bill and combine and pay funds to Company to keep lights on. Refund all funds and separate bill back to separate acct. for Antonio Wilkerson due to illegal search. All acts were done by electric company due to being only electric company in the city of Memphis. Threat to discontinue utilities knowingly that Vera Morris has life alert button.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12-11-19

Signature of Plaintiff

Printed Name of Plaintiff

Chris Wilkerson *Vera M. Morris*
 Christopher E. Wilkerson / Vera M. Morris

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address